



PATENT

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Serial No.: 10/686,460 )  
Filed: October 15, 2003 )  
Art Unit: 3731 )  
Examiner: Glenn Dawson )  
For: BREATHING )  
ASSISTANCE )  
APPARATUS )  
Applicant: SEAKINS et al. )  
Atty Docket No.: 1171/39624D/92D )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on  
January 10, 2005.

*Tiffany E. Sexton*  
Tiffany E. Sexton

TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
AFTER MAILING OF OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant submits the present Supplemental Information Disclosure Statement. A copy of each of the listed references are included herewith. This Supplemental Information Disclosure Statement and the enclosures constitute a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

Applicant first became aware of some of the references cited in this Supplemental Information Disclosure Statement through a European Search Report dated April 31, 2004, copy enclosed, which issued in a corresponding European application. The rest of the cited references were cited by the Examiner in an Office Action dated October 19, 2004, which issued in connection with corresponding United States patent application Serial No. 10/746,730.

European Patent No. 556561 and German Patent Nos. 3629353 and 3311811 are not in the English language, therefore, attached thereto are English abstracts of each.

The Supplemental Information Disclosure Statement transmitted herewith is being filed after receipt of the Office Action but before the Notice of Allowance and before the payment of the issue fee.

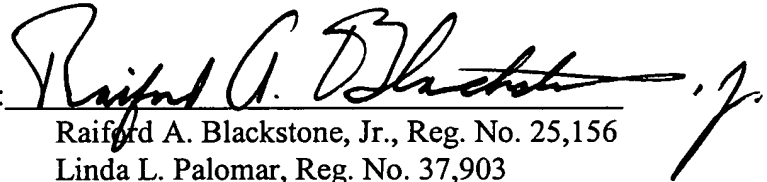
In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

In accordance with 37 C.F.R. §1.97(c), Applicant submits a check for \$180 for consideration for this Supplemental Information Disclosure Statement. If this check is lost or insufficient, please charge Account No. 20-1495.

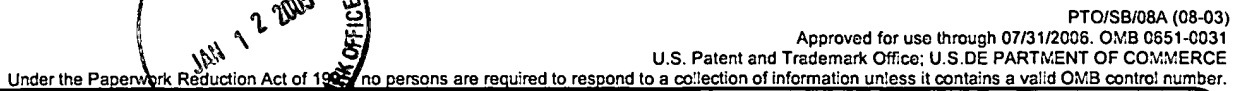
Respectfully submitted,

Dated: January 10, 2005

By:



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**(Use as many sheets as necessary)**

Sheet	1	of	2
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Application Number	10/686,460
Filing Date	October 15, 2003
First Named Inventor	Seakins et al.
Art Unit	3731
Examiner Name	Glenn K. Dawson
Attorney Docket Number	1171/39624D/92D

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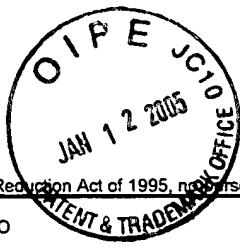
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		EP1138341	10/04/2001	Seakins		
		GB2277689	11/09/1994	Turner		
		EP556561	01/15/1993	Eilentropp		
		DE3629353	01/07/1988	Kleinschmidt		
		DE3311811	10/04/1984	Hirtz		
		WO 02/32486	04/25/2002	Blackhurst		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**

Application Number	10/686,460
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First Named Inventor	Seakins et al.
Art Unit	3731
Examiner Name	Glenn K. Dawson
Attorney Docket Number	1171/39624D/92D

Sheet 2 of 2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		United States Patent Application Publication No. 2002/0124847 A1; Published on September 12, 2002; Inventor: Smith; Entitled Humidified Gases Delivery Apparatus	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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